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Patent

IN THE UNITED STATES PATENT AND  
TRADEMARK OFFICE

Phoenix, Arizona

Applicant - Ralph Johnson      Group - 2828  
Serial No. - 10/026,055      Examiner - Tuan M. Nguyen  
Filed - 12/20/2001      Atty Docket No. - V637 01520 US  
For - VERTICAL CAVITY SURFACE EMITTING LASER INCLUDING  
INDIUM IN THE ACTIVE REGION

10-6-03

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Box Patent Application  
Assistant Commissioner of Patents  
POB 1450  
Alexandria, VA 22313-1450

Dear Sir:

The following sections are being submitted for this Supplemental Information  
Disclosure Statement:

## 1. Preliminary Statements.

Applicant submits herewith additional patents, publications or other information as the result of an International Search Report, that they believe may be material to the patentability of the claims under consideration in this application and in respect of which there may be a duty to disclose under 37 C.F.R. § 1.56.

The filing of this Supplemental Information Disclosure Statement shall not be construed as a representation that a search has been made (37 CFR § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56 (37 C.F.R. § 1.97(h)), or that no other material information exists.

The filing of this Supplemental Information Disclosure Statement is not to be construed as a representation that the references are prior art within the meaning of 35 U.S.C. §§ 102 or 103. Further, any explanation, if provided, is not to be construed as a representation that the references have been thoroughly reviewed. In particular, no representation as to the relevance of any portion of any reference is intended.

The filing of this Supplemental Information Disclosure Statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

2. Form PTO-1449, List of Prior Art Cited by Applicant, citing no U.S. patents, two foreign patents, and two publications.

3. Attached to this Supplemental Information Disclosure Statement is a copy of the International Search Report in the corresponding International Application, along with the cited references, for consideration by the U.S. Patent and Trademark Office. Copies of the references listed in the International Search Report that have

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not been provided are believed to define the general state of the art and are not considered to be of particular relevance.

4. These references are in addition to those listed in the Supplemental Information Disclosure Statement and Form PTO 1449 filed with the Patent and Trademark Office on April 16, 2003.

5. Statement in accordance with 37 C.F.R. § 1.97(e):

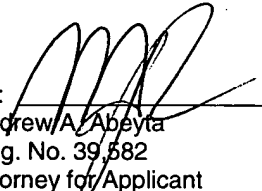
☒ (1) Each item of information contained in the Supplemental Information Disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the Supplemental Information Disclosure statement; or

☐ (2) No item of information contained in the Supplemental Information Disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Supplemental Information Disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Supplemental Information Disclosure statement.

6. The person making this statement is the attorney who signs below on the basis of the information supplied by the inventor(s) and the information in the attorney's file.

7. The Office is authorized to charge Applicant's Deposit Account 01-1125 for any fee that may be due under 37 C.F.R. § 1.17(p) for consideration of this IDS and for any other fee that may be due.

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#### CERTIFICATE OF MAILING

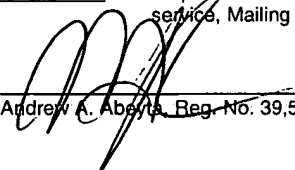
I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below addressed to the Assistant Commissioner of Patents, POB 1450, Alexandria, VA, 22313-1450:

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Dated: 4-18-03

  
Andrew A. Abeyta, Reg. No. 39,582